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No. 484

In the Supreme Court of the United States

OCTOBER TERM, 1930

FEDERAL TRADE COMMISSION, PETITIONER

v.

RALADAM COMPANY

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SIXTH CIRCUIT AND BRIEF IN SUPPORT THEREOF

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PETITION

The Solicitor General and the Chief Counsel of the Federal Trade Commission, in behalf of the Federal Trade Commission, pray that a writ of certiorari issue to review the decree of the Circuit Court of Appeals for the Sixth Circuit entered in the cause between the above-named parties on June 28, 1930, which reversed an order of the Federal Trade Commission requiring the respondent to cease and desist from certain methods of competition alleged to be unfair and in violation of Section 5 of "An Act To create a Federal Trade Commission, to define its powers and duties, and for other purposes," c. 311, 38 Stat. 717.

STATEMENT

A complaint issued by the Federal Trade Commission on February 29, 1928, charged the Raladam Company (hereinafter referred to as the "respondent") with the use of unfair methods of competition in interstate commerce, in violation of Section 5 of the Federal Trade Commission Act, in the sale and offering for sale of the medical preparation "Marmola Prescription Tablets" as a cure for obesity and as a treatment for the removal of excess flesh. (R. 2-6.) The complaint alleged that one of the ingredients of such preparation was the powerful drug "thyroid," which respondent asserted was effective in the reduction of fat; that this drug produced radical changes in the human body and could be safely administered only under the direction of a competent physician. It alleged further that respondent in advertisements in publications of general circulation and in pamphlets made statements that were false and misleading to the purchasing public to the effect that the preparation was a scientifically accurate method of treatment based on the results of extended scientific research, and that it was a safe, effective, and dependable agent for the removal of excess flesh which might be used by the purchaser without discomfort or danger.

After respondent had filed an answer (R. 7-19), the Federal Trade Commission appointed an Examiner (R. 20), before whom testimony was taken (R. 32-371). A hearing was held before the Fed-

eral Trade Commission, which made a report in writing, in which it found the facts to be substantially as alleged in the complaint. (R. 21-25.) The Commission thereupon ordered respondent, in connection with its sale and advertising and offering for sale of the product "Marmola," to cease and desist from representing that the preparation was a scientific method for treating obesity, and from representing that it was safe and harmless, unless that representation be accompanied by a statement that it could not be taken with safety to physical health except upon the advice and under the direction of competent medical authority. (R. 26-27.)

The Commission found as a fact (R. 42) that the respondent was engaged in interstate commerce, and that its product was sold in competition with other persons throughout the United States; and these facts were expressly admitted by the respondent in the court below (p. 1 of respondent's brief in the Circuit Court of Appeals). Evidence before the Commission showed that the respondent annually sells in this country over 1,000,000 packages (R. 48) of its preparation "Marmola," and its annual receipts amount to $600,000 (R. 34). The preparation is marketed by the respondent through wholesale druggists in every State. Large quantities of the preparation are shipped in interstate commerce. (R. 35.)

Respondent filed a petition in the Circuit Court of Appeals for the Sixth Circuit asking that the order of the Federal Trade Commission be set aside.

(R. 376.) The Commission filed an answer in the nature of a cross bill asking for a decree to enforce its order. (R. 401.) An answer was filed by respondent to the cross bill (R. 411), and a motion was made by petitioner to strike out portions of the answer to the cross bill (R. 508), upon which the Circuit Court of Appeals made no ruling. The Circuit Court of Appeals entered a decree reversing the order of the Federal Trade Commission on June 28, 1930. (R. 540.)

The answer of the respondent and evidence before the Commission tended to show the following facts:

The use of the product "Marmola" is based on the theory that the normal secretion of the thyroid gland is an effective agent in oxidizing and reducing fatty tissue. (R. 80, 81, 195, 197, 329.) "Marmola" contains the drug "thyroid" which is sometimes used as an artificial aid in this oxidization process. (R. 9, 13, 14, 51.)

Respondent's product is widely advertised and offered for sale as a scientific remedy for obesity and overweight. (R. 11, 12, 14, 61.) The cause of 95% of the cases of obesity, however, lies in excess eating, and in but 5% of the cases is there any subnormal thyroid activity. (R. 202.) In the former cases, regulation of diet is the only effective remedy. (R. 175.) "Marmola" may reduce weight temporarily in such cases, but affords no perma-

nent relief. (R. 185–186.) The drug "thyroid" may properly be used as a flesh reducer only in the case of thyroidal obesity. (R. 177, 339.) Even in that case it is in no sense a remedy, since its use tends to make the thyroid gland even less active, thus intensifying the disease. (R. 74, 337.) The drug "thyroid" is accordingly used by competent physicians only to correct the results of subnormal thyroid activity, while at the same time a cure for the disease itself is being employed. (R. 128, 129.)

The product "Marmola" is sold under the further representation that it is a safe and harmless remedy for obesity and overweight and that it may be employed without ill effects by persons who are simply trying to reduce weight. It is represented that the average person should use the preparation in order to reduce to average weight, which average weights are set out in the advertisements of the respondent. (R. 10, 12.) It is a matter of general knowledge among physicians that the drug "thyroid" burns all of the tissues of the body—with the fatty tissues being consumed more rapidly. (R. 81, 83, 105, 106, 185, 220.) In every case it increases the burning of the tissues of the body in proportion to the amount taken. (R. 81, 83.) There are many bodily conditions which preclude the use of "thyroid" entirely. (R. 117, 177–179, 185, 209, 216.) Its use is harmful, unless administered under medical supervision, and in many cases its use is dangerous. (R. 73, 115, 116, 140,

142, 144, 177, 179, 215, 217, 319.) The preparation "Marmola" is used by many persons who have no excess flesh (R. 319), in which case the vital tissues must be affected. None of the physicians who testified prescribed the use of the drug "thyroid" without first having examined the patient. (R. 83, 85, 116, 141, 177, 217, 257, 285, 308, 342, 356.)

SPECIFICATION OF ERRORS

The Circuit Court of Appeals erred—

(1) In denying the jurisdiction of the Federal Trade Commission under Section 5 of the Federal Trade Commission Act to order the discontinuance of false representations, made in connection with the advertising and offering for sale of a product, which are calculated to mislead a substantial part of the purchasing public without evidence of injury to honest competitors.

(2) In drawing an inference that there was no competition between respondent and honest dealers engaged in the manufacture of similar remedies, in the absence of any proof of that fact.

(3) In holding that the findings of the Commission that "Marmola" was not a scientific or safe remedy for the treatment of obesity were not, for purposes of appellate review by the Circuit Court of Appeals, findings of fact but expressions of opinion, and, as such, not conclusive if supported by testimony, as provided in Section 5 of the Federal Trade Commission Act.

(4) In holding in effect that the findings of the Commission that "Marmola" was not a scientific or safe method for the treatment of obesity or the removal of excess flesh were not supported by testimony, and were, therefore, not conclusive upon review by the Circuit Court of Appeals, as provided in Section 5 of the Federal Trade Commission Act.

(5) In failing to rule upon petitioner's motion to strike out respondent's answer to paragraphs "G" and "H" of petitioner's answer in the nature of a cross bill, and in reciting in its opinion the allegations of respondent's answer as established facts in the case, although no issue was formed thereon and no evidence adduced, and in basing its decision in part upon such allegations.

REASONS FOR GRANTING THE WRIT

1. The case presents a question of public importance which should be decided by this Court. It requires a determination of the extent of the jurisdiction of the Federal Trade Commission, under Section 5 of the Federal Trade Commission Act, in protecting the purchasing public against false advertising.

The Circuit Court of Appeals denied the jurisdiction of the Commission, under Section 5, to enter an order restraining false and misleading advertising, calculated to deceive a substantial portion of the purchasing public, in any case where the court, in the absence of any affirmative showing to the contrary, draws the inference from the character

of the trade engaged in by the advertiser that there are no honest competitors whose trade would be protected by the Commission's order. This construction of the Federal Trade Commission Act is novel and, we submit, erroneous.

2. The decision below in this respect would operate to place an unwarranted limitation on prior decisions of this Court in *Federal Trade Commission* v. *Klesner*, 280 U. S. 19; *Federal Trade Commission* v. *Winsted Hosiery Co.*, 258 U. S. 483; and *Federal Trade Commission* v. *Beech-Nut Packing Co.*, 257 U. S. 441. (These cases are discussed on pp. 13–15, *infra*.) The decision in this respect is also in apparent conflict with the decision of the Circuit Court of Appeals for the Ninth Circuit in *Hills Bros.* v. *Federal Trade Commission*, 9 F. (2d) 481, 485, and with the decision of the Circuit Court of Appeals for the Second Circuit in *Butterick Co.* v. *Federal Trade Commission*, 4 F. (2d) 910. (These cases are discussed on pp. 15–16, *infra*.)

3. The Circuit Court of Appeals failed to give effect to the findings of the Commission that the respondent's product "Marmola" was not a "safe" and "scientific" remedy for the treatment of obesity, or for the removal of excess flesh, as represented in the respondent's advertisements, although such findings were supported by testimony, and, therefore, were conclusive upon that court under Section 5 of the Federal Trade Commission Act. The court held in effect that such findings were questions of opinion rather than matters of fact

and, therefore, not conclusive, even if supported by testimony. The decision of the court below on this point appears to be in conflict with the decision of this Court in *Seven Cases* v. *United States*, 239 U. S. 510, with the decision of the Circuit Court of Appeals for the Third Circuit in *Eleven Gross Packages, etc.*, v. *United States*, 233 Fed. 71, and with the decision of the Circuit Court of Appeals for the Fifth Circuit in *Hall* v. *United States*, 267 Fed. 795.

Wherefore it is respectfully submitted that the writ of certiorari should be granted.

THOMAS D. THACHER,
Solicitor General.

ROBT. E. HEALY,
General Counsel,
Federal Trade Commission.

SEPTEMBER, 1930.

BRIEF IN SUPPORT OF PETITION

OPINION BELOW

The opinion of the Circuit Court of Appeals (R. 541–550) is not yet reported.

JURISDICTION

This was a petition to the Circuit Court of Appeals for the Sixth Circuit to review and set aside an order of the Federal Trade Commission entered under authority of Section 5 of "An Act to Create a Federal Trade Commission, and to define its powers and duties, and for other purposes," c. 311, 38 Stat. 717. The decree of the Circuit Court of Appeals reversing the order was entered June 28, 1930. (R. 538.) The jurisdiction of this Court is invoked under Section 5 (Paragraphs 4 and 5) of the Federal Trade Commission Act, c. 311, 38 Stat. 717, and under Section 240 (a) of the Judicial Code, as amended by the Act of February 13, 1925.

QUESTIONS PRESENTED

1. Whether the Federal Trade Commission has jurisdiction, under Section 5 of the Federal Trade Commission Act, to enter an order requiring the seller of a patent medicine to cease and desist from making false representations as to the therapeutic

effect of his product, where there is no affirmative showing that *honest* competitors are injuriously affected, but it does appear that the respondent's sales are in competition with other persons, "who are likewise engaged in offering for sale and selling printed professional advice, books of information and instruction, and other methods, means, remedies and appliances for dissolving or otherwise removing excess flesh of the human body."

2. Whether representations that a remedy is "scientific" and "safe," made in connection with the advertising and offering for sale of a patent remedy for reducing flesh, are matters of fact or of opinion for the purpose of determining whether findings by the Federal Trade Commission as to their falsity are "conclusive if supported by testimony," within the meaning of Section 5 of the Federal Trade Commission Act.

STATUTES INVOLVED

Section 5 of the Federal Trade Commission Act (Act of September 26, 1914), c. 311, 38 Stat. 717, 719, is set forth in part in the appendix, *infra*, pp. 21–24.

STATEMENT

A statement of the facts and of the errors relied on will be found in the petition.

ARGUMENT

I

UNDER SECTION 5 OF THE FEDERAL TRADE COMMISSION ACT THE COMMISSION MAY PROHIBIT FALSE REPRESENTATIONS IN ADVERTISING A MEDICAL PREPARATION, ALTHOUGH ITS ORDER IS NOT SUPPORTED BY TESTIMONY THAT COMPETITORS DO NOT LIKEWISE MAKE FALSE REPRESENTATIONS

The Circuit Court of Appeals in considering the broad question of the jurisdiction of the Federal Trade Commission under Section 5 of the Federal Trade Commission Act said (R. 548, 550):

> The thing forbidden by the statute is *unfair* competition. This can not exist unless there is competition, and there can not be competition unless there is something to compete with. It must be evident that the trade which was to be protected against restraint (and unfair competition is a kind of restraint) was that legitimate trade which was entitled to hold its own in the trade field without embarrassment from unfair competition. * * *
>
> * * * * * *
>
> When we search this record to find the legitimate activities which are to be protected against this unfair competition, we observe only two such possible beneficiaries. One is the medical profession. It can not be seriously contended that the Act was intended to protect any profession against encroachment—the aid of the Commission

might be as logically given to physicians and surgeons as against chiropractors, or to lawyers as against incompetent will-draftsmen.

The other possible beneficiary is found in the list which the American Medical Association Bureau has made up, comprising a number of other commercially exploited remedies for obesity, which have been advertised or found in the drug stores within recent years. Some of them are perhaps still being sold in substantial quantities, though that is left very vague. It is fairly to be inferred, not only that these are on the same *index expurgatorius* as Marmola, but that they are relatively disreputable. Again, it can not be seriously contended that the machinery of the Commission was intended to give governmental aid to the protection of this kind of trade and commerce.

It is submitted that this is not a correct exposition of the law relating to the jurisdiction of the Federal Trade Commission under Section 5 and should not be adopted by this Court.

It is clear that the Federal Trade Commission has jurisdiction to enter an order enjoining false labeling calculated to deceive a substantial portion of the purchasing public, even in the absence of an affirmative showing of injury to any individual competitor, on a presumed injury to competitors as a class, arising out of deception of the public. *Federal Trade Commission* v. *Winsted Hosiery Co.*, 258 U. S. 483. In *Federal Trade Commission* v.

Beechnut Co., 257 U. S. 439, the Court condemned a system of resale price restriction enforced by the respondent, inferring that competition among retail distributors was suppressed. The Court in *Federal Trade Commission* v. *Plesner*, 280 U. S. 19, 27, commenting on these cases, stated:

> But to justify the Commission in filing a complaint under Section 5, the purpose must be protection of the public. The protection thereby afforded to private persons is the incident. Public interest may exist although the practice deemed unfair does not violate any private right. In *Federal Trade Commission* v. *Beechnut Packing Co.*, 257 U. S. 441, a practice was suppressed as being against public policy, although no private right either of a trader or of a purchaser appears to have been invaded. In *Federal Trade Commission* v. *Winsted Hosiery Co.*, 258 U. S. 483, an unfair practice was suppressed because it affected injuriously a substantial part of the purchasing public, although the method employed did not involve invasion of the private right of any trader competed against.

The court in the present case states that in the patent remedy field there is no honest competition which could be protected by the enjoining of false and misleading representations. The Commission found that the respondent was in competition with other persons engaged in selling advice, appliances, and remedies for reducing fat. (R. 22.) There

was evidence supporting this finding (R. 111–112) and there was no testimony which would support the court's inference that there are no other manufacturers who are honestly confining their representations as to the effect or character of their remedies within lawful bounds. If the Federal Trade Commission is required to base its orders enjoining false advertising on an affirmative showing of injury to honest competitors, each action will require trial of the legitimacy of the activities of other competitors. The difficulties which would follow from such an interpretation are indicated by the Circuit Court of Appeals for the Ninth Circuit in *Hills Bros.* v. *Federal Trade Commission*, 9 F. (2d) 481, 484–485 where the court said:

> The petitioner also offered to prove that a concern in Los Angeles was selling coffee, and that publishers throughout the country were selling magazines, at fixed prices in other states, under agreements to maintain these prices, and refused to sell to dealers who would not maintain the prices agreed upon. An objection to this class of testimony was sustained, and the ruling is assigned as error. If the concerns in question did nothing more than the petitioner has done, according to its own contention, they did not violate the law, nor has the petitioner violated the law, for reasons hereinafter stated. If, on the other hand, the petitioner has violated the law, it would avail nothing to prove

> that others were equally guilty. Proof of the methods employed by others would be of little avail in any event, unless the methods employed were similar, and in order to determine the similarity of methods the commission would be compelled to hear and try many cases, instead of only one. There was no error in the rulings complained of.

In the case of *Butterick Co.* v. *Federal Trade Commission,* 4 F. (2d) 910, 912, the Circuit Court of Appeals for the Second Circuit, in holding unlawful a system fixing the resale price of patterns, stated:

> The argument that other competitors are doing substantially what the petitioners do has no effect. It is not important.

See also *Yale and Towne Mfg. Co.* v. *Alder,* 154 Fed. 37, 38 (C. C. A., 2d); *Chamber of Commerce of Minneapolis* v. *Federal Trade Commission,* 13 F. (2d) 673, 686 (C. C. A., 8th).

The court below conceded that a showing of deception of the public by false advertising is evidence of injury to lawful dealers in the "legitimate trades." To confine the application of that principle to the reputable trades would have the effect of placing under the jurisdiction of the Federal Trade Commission the class of advertising cases in which trade ethics are generally on a high plane, and in which, correspondingly, the purchasing public is less apt to be misled, and to leave the

public at the mercy of those whose morals are assumed by the court to be generally questionable. Even if there were any basis for the inference drawn by the court that no honest competitors were affected (which we deny), it would not serve as ground for denying jurisdiction of the Federal Trade Commission, but would tend to show that there was need for more and not less supervision over their advertising activities. We submit that the Federal Trade Commission Act (pp. 21–24, *infra*) gives no indication of an intention of Congress to confine the jurisdiction of the Commission to cases in which there is an affirmative showing of competition with honest competitors.

II

THE FINDINGS OF THE FEDERAL TRADE COMMISSION THAT RESPONDENT'S PRODUCT WAS NOT A SCIENTIFIC OR SAFE REMEDY WERE FINDINGS OF FACT, AND, BEING SUPPORTED BY TESTIMONY, WERE CONCLUSIVE ON THE COURT BELOW.

The Circuit Court of Appeals held that the adjectives "scientific" and "safe" as employed by respondent in its advertising, with reference to the medical properties of the product "Marmola," were terms the use of which could only be based upon opinion and that the Commission in finding the product not to be a scientific or safe remedy was, in effect, only expressing its opinion and was not deciding a question of fact. The court there-

fore felt free to reverse the finding of the Commission, although it was supported by ample evidence. If the determination of the Commission that "Marmola" is not a safe or scientific remedy is a finding of fact, under Section 5 of the Federal Trade Commission Act (p. 23, *infra*), this determination, which was supported by evidence, would have been binding on the court on review.

This Court in *Seven Cases* v. *United States*, 239 U. S. 570, held that the curative effect of a remedy could be determined as a question of fact. To the same effect are the decisions in *Eleven Gross Packages, etc.*, v. *United States*, 233 Fed. 71 (C. C. A. 3rd), and *Hall* v. *United States*, 267 Fed. 795 (C. C. A. 5th). We submit that, in a similar way, whether a remedy is "safe" or "scientific" may be determined as a fact.

With reference to whether "Marmola" is a scientific remedy for obesity, there is evidence to show that "Marmola" contains the drug "thyroid" which is sometimes employed to consume fatty tissues in cases of thyroidal obesity. (R. 9, 13, 14, 51.) But obesity is due in 95% of the cases to causes other than subnormal activity of the thyroid gland. (R. 202.) In 95% of the cases, therefore, "Marmola" is in no sense a remedy. Even in cases where there is subnormal thyroid activity, resulting in obesity, "Marmola" is not a cure. (R. 185–186.) It impairs rather than aids the normal

functioning of the thyroid gland. (R. 74, 337.) Therefore the Commission's finding that the remedy is not a scientific one was a proper finding of fact.

The same is true of its finding that it is not a "safe remedy." Respondent represented "Marmola" as a safe remedy to persons who were obese, to those who were slightly overweight, according to standard tables, and to those who were desirous of reducing, irrespective of overweight. (R. 10, 12.) There was no dispute as to the effect of the drug "thyroid," the principal constituent of "Marmola." Its effect is to oxidize or to burn tissue. (R. 81, 83, 85, 106–220.) But there are many bodily conditions which preclude the use of "thyroid" entirely. (R. 177–179, 209–216.) None of the physicians who testified prescribed the use of the drug "thyroid" without first having examined the patient. (R. 82–83, 85, 116, 141, 177, 217, 257, 285, 308, 342, 356.)

If the findings of the Commission as to the therapeutic effect of "Marmola" based on this testimony are not findings of fact, then all conclusions reached on the basis of expert testimony would likewise seem to be matters of opinion.

CONCLUSION

It is submitted that the decision of the Circuit Court of Appeals is erroneous, and in view of the general importance of the questions decided that

the petition for the writ of certiorari should be granted.

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SEPTEMBER, 1930.

APPENDIX

Section 5 of the Federal Trade Commission Act (Act of September 26, 1914, c. 311, 38 Stat. 717, 719, provides, *inter alia:*

> That unfair methods of competition in commerce are hereby declared unlawful.
>
> The commission is hereby empowered and directed to prevent persons, partnerships, or corporations, except banks, and common carriers subject to the Acts to regulate commerce, from using unfair methods of competition in commerce.
>
> Whenever the commission shall have reason to believe that any such person, partnership, or corporation has been or is using any unfair methods of competition in commerce, and if it shall appear to the commission that a proceeding by it in respect thereof would be to the interest of the public, it shall issue and serve upon such person, partnership, or corporation a complaint stating its charges in that respect, and containing a notice of a hearing upon a day and at a place therein fixed at least thirty days after the service of said complaint. The person, partnership, or corporation so complained of shall have the right to appear at the place and time so fixed and show cause why an order should not be entered by the commission requiring such person, partnership, or corporation to cease

and desist from the violation of the law so charged in said complaint. Any person, partnership, or corporation may make application, and upon good cause shown may be allowed by the commission, to intervene and appear in said proceeding by counsel or in person. The testimony in any such proceeding shall be reduced to writing and filed in the office of the commission. If upon such hearing the commission shall be of the opinion that the method of competition in question is prohibited by this Act, it shall make a report in writing in which it shall state its findings as to the facts, and shall issue and cause to be served on such person, partnership, or corporation an order requiring such person, partnership, or corporation to cease and desist from using such method of competition. Until a transcript of the record in such hearing shall have been filed in a circuit court of appeals of the United States, as hereinafter provided, the commission may at any time, upon such notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any report or any order made or issued by it under this section.

If such person, partnership, or corporation fails or neglects to obey such order of the commission while the same is in effect, the commission may apply to the circuit court of appeals of the United States, within any circuit where the method of competition in question was used or where such person, partnership, or corporation resides or car-

ries on business, for the enforcement of its order, and shall certify and file with its application a transcript of the entire record in the proceeding, including all the testimony taken and the report and order of the commission. Upon such filing of the application and transcript the court shall cause notice thereof to be served upon such person, partnership, or corporation and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree affirming, modifying, or setting aside the order of the commission. The findings of the commission as to the facts, if supported by testimony, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the commission, the court may order such additional evidence to be taken before the commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commission may modify its findings as to the facts, or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by testimony, shall be conclusive, and its recommendation, if any,

for the modification or setting aside of its original order, with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section two hundred and forty of the Judicial Code.

Any party required by such order of the commission to cease and desist from using such method of competition may obtain a review of such order in said circuit court of appeals by filing in the court a written petition praying that the order of the commission be set aside. A copy of such petition shall be forthwith served upon the commission, and thereupon the commission forthwith shall certify and file in the court a transcript of the record as hereinbefore provided. Upon the filing of the transcript the court shall have the same jurisdiction to affirm, set aside, or modify the order of the commission as in the case of an application by the commission for the enforcement of its order, and the findings of the commission as to the facts, if supported by testimony, shall in like manner be conclusive.

The jurisdiction of the circuit court of appeals of the United States to enforce, set aside, or modify orders of the commission shall be exclusive.

* * * * *

U. S. GOVERNMENT PRINTING OFFICE: 1930